

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

INTERNATIONAL BUSINESS MACHINES CORPORATION,	)	
	)	C.A. No. 16-122-LPS
	)	
Plaintiff,	)	<b>JURY TRIAL DEMANDED</b>
	)	
v.	)	<b>HIGHLY CONFIDENTIAL –</b>
	)	<b>ATTORNEYS’ EYES ONLY –</b>
GROUPON, INC.	)	<b>FILED UNDER SEAL</b>
	)	
Defendant.	)	

**[PROPOSED] ORDER**

Having considered Plaintiff IBM’s Motion to Exclude the Testimony of James Malackowski and Jon Weissman Concerning Non-Infringing Alternatives, the Court has determined that the Motion should be GRANTED.

Accordingly, IT IS HEREBY ORDERED that Plaintiff IBM’s Motion to Exclude the Testimony of James Malackowski and Jon Weissman is GRANTED.

**SO ORDERED**, this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
THE HONORABLE LEONARD P. STARK  
UNITED STATES DISTRICT CHIEF JUDGE